

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE**

PATSY WHITE

Plaintiff

vs.

MEMPHIS LIGHT GAS and WATER

Defendant

CIVIL ACTION NO. _____

JURY DEMANDED

EXHIBIT # 1

EEOC Charge of Discrimination

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Patsy Y. White**
5474 Blimey Cove
Memphis, TN 38116

From: **Memphis District Office**
1407 Union Avenue
Suite 901
Memphis, TN 38104



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

490-2015-02360

Jesus M. Santiago,
Investigator

(901) 544-0147**THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Enclosures(s)



Katharine W. Kores,
Director

APR 6 2017

(Date Mailed)

cc:

Steven Day
Asst. Manager
MEMPHIS LIGHT GAS & WATER
220 South Main Street
Memphis, TN 38103

Myra Hamilton
HAMILTON ENTERTAINMENT & EMPLOYMENT
LAW, LLC
2645 Appling Road , suite 106
Memphis, TN 38133

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

☐ FEPA
☒ EEOC**490-2015-02360****Tennessee Human Rights Commission**

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

Ms. Patsy Y. White

Home Phone (Incl. Area Code)

(901) [REDACTED]

Date of Birth

09-11-1955

Street Address

City, State and ZIP Code

5474 Blimey Cove, Memphis, TN 38116

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

MEMPHIS LIGHT GAS & WATER

No. Employees, Members

500 or More

Phone No. (Include Area Code)

(901) 575-7222

Street Address

City, State and ZIP Code

1665 Whitten, Memphis, TN

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☒ RACE ☐ COLOR ☒ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☐ RETALIATION ☐ AGE ☐ DISABILITY ☐ GENETIC INFORMATION
☐ OTHER (Specify)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

09-11-2015**09-11-2015**☐

CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I was suspended indefinitely from my job as a Service Advisor on September 14, 2014. I began working for the above named employer on May 1997.

On September 11, 2015, I was instructed to provide a urine specimen. However, Linda Pete stated, "If you cannot provide the urine sample by 9:00 am you must leave," but instead I left at 9:35 am because the time was extended until 9:30. Upon my return to work on Monday 14, 2015, my credentials were disabled and I was Indefinitely suspended by Carlotta Burnette, Manager.

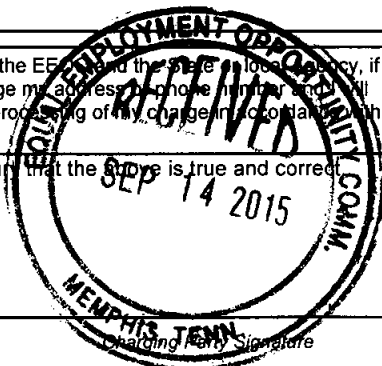
I believe that I have been discriminated against because of my sex (female), and my race (Black), in violation of Title VII of the Civil Rights Act of 1964, as amended.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address, phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

Sep 14, 2015

Date



NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

Patsy Y. White

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

9-14-15

9/14/15